REMARKS

This is in response to the non-final Office Action mailed on April 24, 2006. Claims 1-55 are pending and of those claims, claims 2-10 and 18-55 have been withdrawn. Claims 1 and 11-17 have been rejected. In addition, the specification was objected to in the Office Action. By this Amendment, claims 1 and 11-17 are amended.

The specification has been objected to in the Office Action as allegedly containing a computer program listing consisting of more than 300 lines in Appendix A, which, the Office Action asserts, must be filed on a compact disc. However, the Applicants submit that the Appendix listed is not a computer program listing as defined by 37 C.F.R. § 1.96(a). Section 1.96(a) defines a computer program listing as "a print-out that lists in appropriate sequence the instructions, routines, and other contents of a program for a computer. The program listing … will cause a computer to perform a desired procedure or task such as solve a problem, regulate the flow of work in a computer, or control or monitor events."

Appendix A does not satisfy the operative definition of a computer program listing. Instead, it is a detailed class report describing objects contained in the current invention. The Appendix is not a computer listing; it does not provide instructions, routines or other contents that will cause a computer to perform a desired procedure or task. It is merely a list of objects. Thus, the Applicant respectfully submits that it is not required to provide the information in Appendix A, pages 1-165 on a compact disc. Withdrawal of the objection is respectfully requested.

Claims 1 and 11-17 stand rejected under 35 U.S.C. § 101 as allegedly being directed toward non-statutory subject matter. Claims 1 and 11-17 are amended to address this alleged deficiency. Claims 1 and 11-17 are now directed toward a computer readable medium having a tangible component with an application programming interface (API) encoded thereon. Each of the claims recites a functional capability of the API. Thus, reciting the feature of the API as being fixed onto the tangible component satisfies the statutory subject matter requirement of § 101. Applicants respectfully request that the objection be withdrawn.

Claims 1 and 11-17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the publication *Understanding SQL*, Martin Gruber, 1990, pages 80-85, 88-94, and 410-415 (hereinafter "Gruber") in view of U.S. Pat. No. 6,484,180 of Lyons et al. (hereinafter "Lyons"). Applicants respectfully traverse the argument.

Independent claim 1 is directed towards a computer readable medium with an API exposing an AdHocQueryCriteria method to specify a query of data in a relational database in terms of entity properties and fields. The AdHocQueryCriteria method receives a plurality of parameters to specify the query to be performed on the relational database. As recited in claim 1, the AdHocQueryCriteria method receives an entityAliasList parameter and a selectList parameter, which define the data to be accessed in terms of entity properties and fields.

The Office Action states that Gruber discloses a query of data in a relational database in terms of entity properties and fields and points to the use of the term query in the INSERT command on the bottom of page 413 as being evidence thereof. However, Gruber does not describe how the query is to be

specified, only that one can be performed. The fact that the results of a query can be inserted into another table does not per se describe how a particular query is specified, and Gruber provides no elaboration other than to say that *rows* of the query's output can be inserted in a table.

In fact, the only suggestion in the portion of the Gruber reference identified above that might suggest how a query might be specified can be found on pages 414-15. On page 415, the SELECT command includes a "from" parameter that requires the user to specify a "table reference", that is, the name of the table that is being accessed to perform the query. This is specifically teaching away from the feature in claim 1 of specifying a query "in a relational database in terms of entity properties and fields." It follows, then, that Gruber would not teach or suggest an entityAliasList parameter. As defined in the specification of the current invention and clarified in an amendment to claim 1, an entityAliasList describes an object - and not a table - to specify the query of data. The object can have any number of fields notwithstanding the construction of any particular table. Thus, the actual table structure within the database need not be exposed to the external user. By contrast, the SELECT command described above specifically requires that the tables be exposed to the user.

The Lyons reference fails to correct these deficiencies. The Office Action states that language in col. 9, lines 12-19 of Lyons discloses an AdHocQueryCriteria. However, the query object 620 referred to in col. 9, line 15 does not expose an AdHocQueryCriteria method. As is stated in col. 7, beginning on line 15, "the query object specifies the values the user interface needs to present, and the *tables that those values come from*." In other words, Lyons requires the user interface to specify the table that data comes from, rather than identifying

an object. Lyons requires the user interface to supply a SQL command that identifies the tables within the database from which data should be selected. An example of the type of SQL command that the query object expects from the user interface is shown in col. 8. This SQL command does not provide parameters that refer to the relational database in terms of entity properties and fields, rather it refers to the actual tables that are located within the database.

Thus, neither Gruber nor Lyons alone or in combination, teach or suggest an AdHocQueryCriteria method. Because neither of these references teach such a method, neither of them comprise a parameter such as the entityAliasList parameter recited in claim 1. For at least these reasons, Applicants submit that claim 1 is neither taught nor suggested by the references of record.

Similarly, independent claim 11 is directed toward a computer readable medium having a tangible component with an application programming interface encoded thereon for exposing an AdHocQueryCriteria method. Claim 11 further recites an entityAliasList parameter, clarified as described above with respect to claim 1, and a selectList parameter. As described above, neither Gruber nor Lyons, either alone or in combination, teach or suggest exposing an AdHocQueryCriteria method. Further, neither reference either teaches or suggests an entityAliasList parameter of the type described above. Thus, Applicants respectfully submit that claim 11, and its dependent claims 12-17, are neither taught nor suggested by the references of record. Withdrawal of the rejection is respectfully requested.

In summary, Applicants submit that claims 1 and 11-17, as amended, are in condition for allowance. Favorable action is respectfully requested.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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